

**WOODS CROSS PLANNING COMMISSION MEETING
JUNE 27, 2023**

CONDUCTING:

Joe Rupp, Chairman

COMMISSION MEMBERS PRESENT:

Joe Rupp, Chairman
LeGrande Blackley
Melanie Brooks

Mike Doxey
Jake Hennessy
Eric Jones

COMMISSION MEMBERS EXCUSED:

Jim Grover

STAFF PRESENT:

Tim Stephens, Community Development Director
Gary Sharp, City Council

STAFF EXCUSED:

Bonnie Craig, Secretary

VISITORS:

Paul Keddington
Jason Olsen
Chris Harris
Alex Lujan

PLEDGE OF ALLEGIANCE:

Eric Jones

APPROVAL OF MINUTES

Chairman Rupp then called for the review of the Planning Commission minutes for the meeting held June 13, 2023.

Following the review of the minutes, Commissioner Blackley made a motion to approve the minutes as written with Commissioner Brooks seconding the motion and all voted in favor of the motion through a roll call vote.

OPEN SESSION

Chairman Rupp then opened the meeting to items from those present that they would like to bring before the Planning Commission that were not on the agenda.

There was nothing for the open session and Chairman Rupp closed the open session.

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TIM'S CONSTRUCTION HOME OCCUPATION

Chairman Rupp asked if there was a representative present for this agenda item.

There was no one present representing this item and Commissioner Jones made a motion to table this item for a future meeting when a representative could be present. Commissioner Blackley seconded the motion, and all voted in favor of the motion through a roll call vote.

PVP RENTALS HOME OCCUPATION—1058 SOUTH 1100 WEST—PAUL KEDDINGTON

Mr. Tim Stephens, the Community Development Director, reviewed this item with the Commission. He noted that Mr. Paul Keddington is proposing to operate a business from his home renting WaveRunners. He noted this home business would involve customers picking up and dropping off the WaveRunners for recreational use. He noted the front entrance area of the home would have a desk and a computer as part of the home occupation. Mr. Stephens said the application noted there would be nothing displayed on the property and the WaveRunners would be kept in the backyard. It was noted the applicant has seven trailers with WaveRunners on them that would be rented out. Mr. Stephens did say this was a large piece of property and may be able to store this many vehicles, but there may be more traffic in the neighborhood with this many trailers.

Following the information given by Mr. Stephens, Commissioner Jones asked Mr. Stephens if this was an R-1-8 Zone. Mr. Stephens said this was the R-1-12 Zone. Commissioner Jones asked if outside storage was allowed in this zone and if the Commission could give allowances to have trailers outside. Mr. Stephens said that in the past, there have been trailers associated with home occupations that the Planning Commission has allowed to be parked at a home that are associated with the business owner.

Commissioner Doxey asked if this would set precedence if an R-1-8 Zone homeowner came in and wanted to do the same thing. Mr. Stephens said he did not think so and if the Planning Commission approved this home occupation, they could state in the record the reasons it was being allowed by the Planning Commission. He noted that because the lot size was larger, this might allow for this type of home occupation.

Mr. Paul Keddington addressed the Commission, and said he was planning on running a WaveRunner rental business from his home. He said customers would come to his home and he would show them how to properly use the WaveRunners and then the customers would take the WaveRunners to recreation areas to use.

Commissioner Brooks asked how long the process was for teaching the renters of the WaveRunners how to use them, from when they got to the property to when they left with the WaveRunners. Mr. Keddington said it would take about 10 minutes because he planned to send out an email to let customers know about how to use the WaveRunners safely. Commissioner Brooks asked Mr. Keddington how long he had been renting WaveRunners. Mr. Keddington said he had been doing it for several years, but he had just moved to this area and wanted to start doing this business from his home. Commissioner Brooks asked Mr.

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Keddington if he planned to rent the WaveRunners during the winter and Mr. Keddington said he does rent them during the winter if he gets a booking, but business slows down during the wintertime.

Commissioner Doxey noted that the Woods Cross city noise ordinance does not allow noise between 10:00 P.M. and 7:00 A.M. for Mr. Keddington's information. Mr. Keddington said he would not start running the rentals until 8:00 A.M. and would be finished around 7:00 P.M.

Chairman Rupp asked about the trailers Mr. Keddington had and how many WaveRunners would be kept at his home. Mr. Keddington said he had seven trailers at his home. Chairman Rupp said he had some concern about maintenance on the WaveRunners being done at the home. Mr. Keddington said that everything that was kept at the home would be operational. He said he has someone who fixes the WaveRunners that will take them somewhere else to be fixed.

The Commission asked how big Mr. Keddington's property was and how far back the property went. Mr. Keddington said his property was 2 ½ acres. There was also an explanation of entrances and exits from the property. Mr. Keddington explained where his property line was and where the customers could come and pick up and drop off the WaveRunners.

Commissioner Hennessy asked Mr. Keddington if he planned to expand his business and Mr. Keddington said he did not plan to expand the business at this time.

Commissioner Jones asked if there were any plans to improve the lot and Mr. Keddington said no not at this time but he did have some plans he would like to look into in the future.

Commissioner Jones said he felt like this was more like commercial/industrial use on a residential property. He said if a commercial business were to come in and ask for this type of business there would be quite a few restrictions that would have to be followed. He said he did not feel like a residential business should be allowed to have this type of business without the same restrictions as a commercial business. He said he did not feel like this was the type of business that should be in a residential neighborhood. He said it was fine to have an office to run the business, but he felt like having that many trailers in a neighborhood is too much for a residential area.

Chairman Rupp said he also had the same concerns because of the scale of the business. He said he did have some concern because of the number of trailers at a home. He said he is concerned that there may be items that are left out in the backyard, and it could become more of a junkyard. He said he did not feel like it was very practical. He said he would be okay with the request if the conditions were met because of the size of his property as long as it does not negatively impact the neighborhood.

Commissioner Brooks said she lives nearby, and she has not heard anything negative about the trailers at this home. She said she has not seen the trailers because there is greenery around the property shielding them from view, so she has not seen them.

Mr. Stephens reviewed the city's ordinance to see what the details of the home occupation were. He said he did not see restrictions concerning the backyard. It was noted there was language for the front and side

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yard but not the back yard. There was also discussion that the vehicles were registered so they would be used and not just sitting around.

Chairman Rupp said he did feel like they needed to make a good decision on this matter because this could set precedence. He said he did not want a bunch of broken vehicles sitting around in the backyard of a residential property.

There was further discussion about having vehicles stored on a hard surface which was defined as asphalt or concrete according to what is required for a home occupation.

Following the discussion, Chairman Rupp asked Mr. Stephens how the discussion impacted the staff recommendations after hearing what was said. Mr. Stephens said that with the number of trailers it is concerning as well as the hard surface pavement requirement for parking that may need to be considered. He said the Commission could consider the number of trailers and what is required for conditional use by the home occupation, but there is also the requirement of vehicles being parked on a hard surface in the city ordinance.

There was other discussion about recreational vehicle and trailer parking required to be on solid asphalt, concrete, surface gravel, road base or similar material.

Mr. Stephens recommended the Commission table this item so that he could consult with the attorney regarding what had been discussed.

Commissioner Blackley made a motion to table this item until the city attorney could be consulted regarding this matter. Commissioner Brooks seconded the motion, and all voted in favor of the motion through a roll call vote.

HARRIS CONDITIONAL USE—1630 WEST 2225 SOUTH—CHRIS HARRIS

Mr. Stephens then went over this item with the Commission. He noted that at the last Planning Commission meeting, they approved a site plan amendment for the Harris Hangar. He noted this consisted of a small addition for a large vestibule entrance for the building into an office area. He said there were some modifications or reorientation of parking stalls along the private street. Mr. Stephens noted that the applicant needed a conditional use because it is a place where personal storage of equipment and vehicles would be taking place. He said the applicant said it would be used for personal dead storage.

Mr. Jason Olsen, the contractor for this project, introduced himself and Mr. Chris Harris who is the owner of the property, to the Commission.

Commissioner Jones asked if there were any plans to use the office for commercial purposes and Mr. Harris said no, not at this time.

Chairman Rupp asked if the conditions were acceptable to them, and they said yes, the conditions as explained were acceptable to them.

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Council Member Sharp asked if there were plans for anyone to reside in this hangar. They said no there would be no one living in this space.

There were no further questions and Commissioner Jones made a motion to approve the Harris conditional use within the AP-Airport Zone with the following conditions:

1. At no time may the use of the property negatively impact adjacent businesses or the nearby residential area.
2. The use of the property shall be in conformance at all times with any government entity having jurisdiction over the use or subject property.
3. Should other use be made of the property, such as the office area, applicant shall be required to contact the city to determine whether a modification to this permit or a new conditional use permit or other approvals will be required.

Commissioner Blackley seconded the motion, and all voted in favor of the motion through a roll call vote.

STAND OUT AUTOMOTIVE—2401 SOUTH REDWOOD ROAD, SUITE #3—ALEX LUJAN

Mr. Stephens then reviewed this item with the Commission. He noted that this applicant is proposing to operate an automotive repair shop in one of the rental spaces at 2401 South Redwood Road. He noted the application indicates that Stand-Out Automotive will operate from 9:00 A.M. to 5:00 P.M. and initially will consist of just Mr. Lujan. Mr. Lujan said he is contemplating hiring two to three additional mechanics in the future. He also said there would be a total of six cars at the shop at any given time and appears to be a minor to medium automotive repair service. Mr. Stephens noted the vehicles for this business must be kept within the shop.

Following the review by Mr. Stephens, Mr. Alex Lujan addressed the Commission. Mr. Lujan said he has been working as a mechanic for about 13 years and feels like he would be an asset to the community.

Commissioner Jones asked what the hours of operation were. Mr. Lujan said his hours would be Monday through Friday 8:00 A.M. to 5:00 P.M. Commissioner Jones asked if there would be anything stored outside. Mr. Lujan said no he does not plan to have cars stored outside. Mr. Lujan said he did not plan to do any car repairs that would take very long so cars would not be parked outside of his business. Commissioner Jones asked if the conditions as listed were acceptable to him and Mr. Lujan said they were acceptable.

There were no further questions and Commissioner Doxey made a motion to approve the conditional use for Stand-Out Auto and Mr. Alex Lujan with the following conditions.

1. At no time may any equipment or materials be stored outside the enclosed building. In addition, at no time may any dismantled or inoperative vehicles be stored or staged on the property outside the enclosed building. All automotive work and activity shall be conducted within the enclosed building.

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2. At no time may the business operation negatively impact adjacent properties particularly the nearby residential area.
3. Applicant's business operation shall be in conformance at all times with any government agency having jurisdiction over the business or subject property.
4. Applicant shall obtain a South Davis Metro Fire Inspection and provide a copy to the city prior to issuance of a business license.
5. Applicant shall obtain and maintain a Woods Cross City Business License.

Commissioner Hennessy seconded the motion, and all voted in favor of the motion through a roll call vote.

CITY COUNCIL REPORT

Council Member Sharp reported on the June 20, 2023, City Council meeting. Please see the minutes of the meeting for the details of his report.

GENERAL AND PENDING

Mr. Stephens noted that he and the city attorney had spoken with CW Urban and they had made some changes after their discussion with the Planning Commission. He said they were going to get with JUB and discuss the side set back on the side corner lot and get it better defined. Mr. Stephens said they had discussed a development agreement be considered if it were to be beneficial for this project. Mr. Stephens said they would be coming back to the Commission for review in the future.

Mr. Stephens also said there has been a request for a special exception to a project in the city which would need to be considered by the Planning Commission. Mr. Stephens said there could be special exceptions heard and approved by the Planning Commission. He said the project requesting the exception is the large building next to the Legacy Preparatory School and they are looking for an exception to the height of the building and there would be a hearing at the next Planning Commission meeting regarding the matter.

ADJOURNMENT

There being no further business before the Commission, Commissioner Hennessy made a motion to adjourn the meeting at 8:10 P.M.

Joe Rupp, Chairman

Bonnie Craig, Secretary